

REMARKS

Claims 1 – 30 were canceled either in a previous response to a previous Office Action or in the present response. Claims 31 – 45 remain. These claims are drawn to compositions or methods for treatment of *breast cancer and/or leukemia* with a compounds defined by chemical formula, in combination with another chemotherapeutic agent effective for the treatment of the malignant disease or condition of the mammal *where the composition in combination with the other chemotherapeutic agent shows synergistic effect*.

Claims 31 – 45 are substantial copies of previous Claims 3, 4, 7, 8, 11, 12, 17, 18, 22, 23, 28 and 29 that were indicated to be “free of prior art and would be allowable once the issue of substantial duplicates of one another is resolved” (see page 4 of the Office Action of October 25, 2002). In its response to the Office Action of October 25, 2002 applicant, acting through the undersigned attorney explained that Claims 3, 4, 7, 8, 11, 12, 17, 18, 22, 23, 28 and 29 were canceled in that amendment and Claims 31 – 45 were substituted in their place in order to avoid excessive amendment (by use of underlining and square brackets in accordance with the rules in existence at that time). The last Office Action acknowledged that the previous issue of “duplication” has been satisfactorily resolved (see page 2 of the Office Action of March 25, 2003).

Claims 31 and 37 were amended in the present amendment to set forth that “n is an integer”, thereby obviating an objection to these two claims in the last Office Action.

As a result of the cancellation of Claims 1 – 30, the issue of enabling disclosure regarding malignancies other than breast cancer and leukemia have been rendered moot. Applicant sincerely believes and urges that Claims 31 – 45 are in allowable condition, as noted in the previous Office Action of October 25, 2002. Each of these claims includes the definition or condition that the “other

therapeutic agent" that is used together with the compound of the herein defined formulas must show synergistic effect with the compound. In light of the foregoing early allowance of Claims 31 – 45 is respectfully solicited.

Change of Address

On July 12, 2002 applicant's undersigned attorney filed a PTO/SB/122 Change of address form pertaining to this case. Because the filing of this form apparently did not result in the Patent Office changing its record of the undersigned attorney's address, another such form indicating the same was filed on May 5, 2003. A copy of this latter form is enclosed. Office personnel is respectfully requested to take notice of the undersigned attorney's current address indicated on the form, and also indicated below.

In the event the Examiner is of the opinion that a telephone conference with the undersigned attorney would materially facilitate the final disposition of this case, he is respectfully requested to telephone the undersigned attorney at the below listed telephone number.

Respectfully submitted

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